

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BARRY NEAL COOPER, ET AL.	§	
v.	§	CIVIL ACTION NO. 6:07cv211
UPSHUR COUNTY CONSTABLE'S OFFICE, ET AL.	§	

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE AND PARTIAL ORDER
OF DISMISSAL

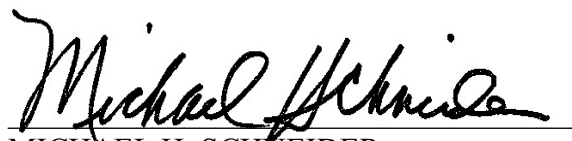
The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that Defendants Gaston W. Deberry, Timon Gray and Tammy Joyce Gray's Rule 12(b) Motion to Dismiss (document #23) and Defendant Todd Tefteller's 12(b)(1) and (6) Motion to Dismiss (document #21) be granted and that the claims against those defendants be dismissed with prejudice. No written objections have been filed to the Report and Recommendation. Therefore, the findings and conclusions of the Magistrate Judge are hereby adopted as those of the Court.

In light of the foregoing, it is

ORDERED that Defendants Gaston W. Deberry, Timon Gray and Tammy Joyce Gray's Rule 12(b) Motion to Dismiss (document #23) and Defendant Todd Tefteller's 12(b)(1) and (6) Motion

to Dismiss (document #21) are **GRANTED**. The claims against Gaston Deberry, Timon Gray, Tammy Gray and Todd Tefteller are **DISMISSED** with prejudice.

SIGNED this 17th day of August, 2007.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE